his purpose, I have clearly explained, Sir, that this is not a new idea suddenly dawning upon Government. It seems to me to be rather unfair and improper to say that a number of subordinate officers are trying to humour the fancies of a transitory Government. All this is unfair and out of place. But I can assure the House that my esteemed friend Mr. Balakrishnan Tampi really approves of the idea of a University as he himself admitted; and I have always found, if I may be permitted to use a colloquial expression, without meaning any offence, that his bark is worse than his bite.

Well, Sir, the scheme is now being prepared and the Government of India will be consulted in the matter and their suggestions and advice will be taken and representative members of both the Houses will be given an opportunity, as the Dewan said, to advice me and the Advisory Committee on the various aspects of the Scheme. I may assure the House that it is the desire of Government to meet as far as practicable the wishes of both the Houses and to be guided by public opinion in the matter. No one wants to follow a hush-hush policy in this business. This is not a hole and corner affair. This is a big undertaking which Government have launched upon with a full sense of their responsibilities and I am very glad to find that the House welcomes and favours the proposal.

The question that a sum of Rs. 1,08,790 be granted under Demand IV—Travancore University, All-India Oriental Conference and Uplift of backward communities—was put to vote and carried. The grant was made.

DEMAND V.—EXCISE DEPARTMENT.

Mr. C. O. Madhavan (*Excise Commissioner*): Sir, I move for a grant not exceeding Rs. 7,32,928 under Demand V—Excise Department.

Mr. G. Narayana Aiyar: Sir, I oppose the Demand. The abkari policy of Government has been declared to be the gradual attainment of prohibition. This policy had been declared long long ago. Fortunately we now find from the report that the consumption of local toddy, opium and ganja is on the decrease. There is perceptible decrease in the number of cocoanut trees tapped. The Commissioner says that the decrease is due to economic depression. But the Government are finding fault with him and say that it is due to smuggling. Anyhow I submit that revenue from abkari is an immoral source of revenue. It should not be taken into consideration for fixing expenditure. The fact that there is a gradual decrease in consumption now will itself go to show that the public are aware that prohibition ought to be attained. I think it is high

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[Mr. G. Narayana Aiyar.]

time for the Government to try prohibition in select areas. Whatever may have been the fate of such trials formerly the time has now arrived when the Government should take it up seriously. In this connection I have also to bring to the notice of Government that there will be further decrease in the consumption of these articles and it is likely to decrease further with the advancement of more literacy and civilisation. I therefore submit that Government should at once try prohibition at least in select areas. It can be seen from the report that the arrears are on the increase. The arrears which were very small in 1104 has risen to nearly nine lakhs of rupees in 1111. The Excise Commissioner admits that it is very difficult to realise the arrears because the properties of most of the contractors are very much encumbered. In his report for 1111 the Commissioner says that because the properties are highly encumbered it is not possible to get high amounts in auction sales and that it will be impossible to recover the arrears since many of the contractors have no property without encumbrances. That will go to show that sufficient care is not being taken by the department at the time of the sale of shops to see whether those who bid the sales are solvent or not. In order to show a greater amount of revenue the shops are sold to those who bid high without caring to see whether they are solvent or not and what will be the reasonable rental of shops. In order to avoid this loss it will be better if the Assistant Commissioners who have local knowledge better than the Excise Commissioner are allowed to conduct the auction sales. The presence of the Tahsildars at the time of the auction is of no use. On account of the economic depression people make rash bids. I request that greater care be bestowed on this aspect of the question.

Then it has been said that smuggling is going on on a very large scale. I wish to bring to the notice of Government that the public are not solely responsible for the smuggling. The Department is also responsible for it. I have got a letter from a responsible person who asks me to bring to the notice of the House that the smuggling is going on mainly with the aid of the departmental subordinates. He goes on to say that the people who are prepared to pay duty find it very difficult to do so because the departmental subordinates stand in their way. I do not think it necessary for me to read the letter fully. I do not say that all the subordinates are having a hand at smuggling. There are very respectable and honest men among them. Government should see that the department is above suspicion. It is not enough if a large force is sent out to put down smuggling. Unless the subordinate officers are honest it will not be possible to put down smuggling.

Another matter which I wish to bring to the notice of the House is about the present currency which is a source of difficulty to all departments. The importers of dutiable articles have

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to pay duty in British rupees annas and pies. The tariff value of dutiable articles is calculated in British currency. For instance, kerosine oil, the duty on which is Bh. Rs. 3 as. 9 per gallon. For lubricating oil the duty is 2 annas 6 pies per gallon. Government say in their report that an anna is equal to one chackram 12 cash. But on correct calculation it will amount to one ch. 12¼ cash. Since it is not possible to pay half a cash people have to pay 1 ch. and 13 cash per anna. In this way, a lot of money is being realised in excess from the public because the people are not able to pay in Travancore currency. Excise department gets an income of about Rs. 2,000 under the head priyavasi which is made up of this item mostly. The merchants have to keep two sets of books, one for Travancore currency and the other for British currency. Government say that British coins are current here while in the same breath they say that Travancore coins alone should be accepted. In the chellan forms issued by Government we find no place for one anna or half anna or quarter of an anna because they are not capable of being correctly commuted into Travancore coins. Of course it is a privilege to have a currency. It is therefore better to declare the value of the British rupee as equivalent say to 32 chackrams or a pie as equal to 3 or 4 cash as may be fit. Even the poor people have to loose in these transactions. I submit that serious attention should be given to this matter which is a source of daily loss to everybody. Tourists find this very difficult and inconvenient. Much time is taken in offices in calculation. I hope and pray that the Government will redress this defect at an early date.

Mr. Nedumangad R. Kesavan Nair : Sir, I also rise to oppose this Demand. The main reasons for my opposing this demand are to point out the irregularities that are existing in the department which result in the increase in arrears due from abkari. There is also another defect that I would like to point out namely the decrease in the consumption of arrack that result in the loss of lakhs of rupees of income to Government. I would also point out the unsatisfactory method in the manufacture of salt by the contractors in the various factories of the State.

From the statistics supplied to us, we find that in the year 1105 Rs. 39,975 were due to Government under arrears under abkari. While in the end of 1111 the arrears rose up to Rs. 8,56,162. If the Commissioner, or for that matter, if the Excise authorities had been vigilant and keen in seeing that the powers vested in them to realise these arrears were fully used, I submit that these arrears would not have accumulated to this frightful extent. I am afraid that if the arrears are allowed to accumulate like this, there would be a tendency on the part of Government to write them off. These

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[Nedumangad R. Kesavan Nair.]

arrears are amounts that the contractors did actually get. This sum of Rs. eight lakhs has been received by the contractors from the people, but owing to the ineffective control of the department Government are not able to receive it.

Another point that I would stress upon is the illicit manufacture or distillation, whatever you call it, of arrack in different taluks due to the ineffective control of the department. The quantity consumed in 1107 was 58,027 gallons. In 1111, the quantity reduces itself to 38,757 gallons. There is a decrease of 20,000 gallons. When this is considered along with the decrease in the number of offences detected by the Excise Department the inference is clear. Illicit manufacture is going on and the department is not able to detect it. It is not because the Judiciary is indifferent in the matter of convictions for the percentage of convictions invariably comes to 96 per cent.

Sir, the Excise department is not vigilant in the matter of investigating the illicit preparation of arrack that is being carried on in the country. My friend Mr. Narayana Aiyar submitted that the Commissioner explained that the decrease in the consumption of arrack was mainly due to economic depression. The Government was not prepared to accept that position. They stated that it was due to illicit distillation that was going on during these years and not on account of the prevalence of economic depression. In spite of economic depression that was prevalent in the country, highest quantity of arrack was consumed in 1108.

Another point that I wish to bring to the notice of the House is, about the thoroughly unsatisfactory nature of the manufacture of salt that is produced from the 15 factories of our State. Experiments have been going on from the year 1105 onwards with a view to get good salt, and to exercise the strictest kind of control over the factories, so that we may get good salt. Unfortunately, till 1111, the experiments have proved unsuccessful. We know that the Government are not permitting us to take in good salt by way of import. Government wants us to consume that kind of salt, I mean bad salt, that the factories are producing. Departmental reports for the years 1107, 1108 and 1111 of the Industries Department show that the salts were sent from the factories to the Industries department for analysis. The result was that the salts were found to be positively bad for consumption. In the year 1111, 24 samples were sent for examination. Out of these, 18 samples were found to be bad and unfit for human consumption. On analysis, they were found to contain magnesium chloride. What is needed is, that the salts should contain sodium chloride. Magnesium chloride has more of the properties of epsom salt. Imagine the condition

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of the 50 lakhs of people in Travancore who are put to the necessity of a consuming salt that contain more of the properties of epsom salt. It has also to be noticed that these 50 lakhs of people are consuming this at the rate of 19 pounds per individual per year. I submit that we are not allowed by Government or the department to consume good salt. Only in Devicolam and Shencottah this salt is not exported on account of the cost in transport. The Commissioner would have tried his best to supply this salt to those places also but difficulties of transport stood in his way.

The causes which occasions the manufacture of salt having the properties of epsom salt are due to the defective supervision of the excise authorities in the manufacture of salt. I am told that brine is stored in a reservoir. From there it goes to a condenser, and thence to the crystalliser. In that, it is allowed to remain till salt is heated to the extent of 30 degrees. If it is allowed to remain there for greater time, the quantity of salt will increase but the quality becomes bad. The quality of the salt produced in that manner partakes the nature of epsom salt as I said before. The contractors who are keen in seeing a greater production in quantity, regardless of the quality must be thwarted and the brine should not be allowed to remain there for a period more than the 30 degrees heat that is needed. I submit that if the Commissioner pays surprise visits or asks his subordinates to test the brine at the point of 30 degrees when it is taken, this kind of bad salts would not have been produced.

I submit that so far as the manufacture of salt is concerned we have probably the greatest prospect in the State. We are in a position to make from the 15 factories working here about 13 lakhs of maunds that we are now consuming. We have also more of good brine required for the manufacture of salt ; that would also enable us to make more of good salt. It is also possible for us to export salt and compete with foreign salts provided our quality is good. But at this rate, with the ineffectual supervision as I submitted we will not be in a position to manufacture good salt. We will only continue to manufacture the imperfect salt which I submitted a little while ago with the result that we have to be self sufficient with the idea that our salt industry has no better future. I draw the attention of the Commissioner to this aspect of the matter, so that he may remedy these defects.

I was adverting to the analysis of our salt by the Industries Department and stated that the experiment of making good salt was throughout a failure. For fear of time I do not wish to refer-

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[Mr. Nedumangad R. Kesava Pillai.]

to the other departmental reports for quotations. But I would invite the attention of Government to a para from the Admininistration report for the year 111 which at page 6 says thus :

"*Work for the Excise Department*.....

24 samples of salt from various alloms forwarded by the Excise Commissioner were analysed in the Laboratory. This was with a view to find out how far the products from the several factories conformed in their purity to the usually accepted requirements. With the exception of some half a dozen samples, all the others showed a large percentage of magnesium salts. These analytical results show that the manufacturers have not taken sufficient precautions to see that the quality was maintained."

The last sentence ought to be that the Department have not exercised that amount of vigilance that was expected of them.

What I wish to submit is, that the department should see that the quality of salt is improved. I also bring home to the Government as well the Commissioner that the amount of vigilance which is expected of them in the matter of scrutinising the manufacture of salt, should be throughly done. The attention of the Commissioner should also be concentrated for realising the arrears due to Government from the contractors which amount they get from the people concerned.

Mr. M. K. Ananthasiva Aiyar (*Nominated*) : Sir, I also oppose the motion. Considerable stress is laid on the fact that smuggling is going on and that it has to be prevented very efficiently. This fact is admitted boldly and openly by the Government also. Whether the budget has implemented measures for prevention, is doubtful to me. On going through para 5 of the Administration Report of the Department for the year 1111 it is seen thus :

"The C. I. D. Staffs has already earned its title for a permanent place in the Department. It is not enough if the staff is merely confirmed. The time for widening its activities is also come."

Yet I find there is absolutely no provision in the budget either for the continuance at least of the original C. I. D. staff or for making it permanent.

Mr. T. K. Kittan (*Vaikam, Kottayam and Changanachery cum Peermade*) : സർ, ഈ ഡിമാൻഡ് മുഴുവൻതുകയും കുറയ്ക്കണമെന്ന ഞാൻ അഭിപ്രായപ്പെടുന്നു. അബ്കാരി തുറയെ ഇന്നത്തെ നിലയിൽ വച്ചുകൊണ്ടിരിക്കുന്നതുകൊണ്ട് യാതൊരു പ്രയോജനവും ഇല്ല. സർക്കാരിനു ഇതുകൊണ്ടു നഷ്ടമാണുണ്ടായിക്കൊണ്ടിരിക്കുന്നത്. അതിനാൽ അതിനെ നിരുത്തിക്കളയുന്നതാണു നല്ലതു. ഇപ്പോൾ നടക്കുന്നതുമുഴുവൻ കള്ളക്കച്ചവടമാണ്. പുകയില, കറുപ്പ്, കഞ്ചാവ് മുത

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ലായ സാധനങ്ങളെ ഈ രാജ്യത്തു് തീരുവ തീർക്കാതെ കൊണ്ടുവന്നു് കുറഞ്ഞവിലക്കു വില്പന നടത്തിവരുന്നു. അതു് നിയമവിരുദ്ധമാണു്. ഈ കള്ളക്കച്ചവടത്തെ ഉടനടി തടസ്സംചെയ്തില്ലെങ്കിൽ നമ്മുടെ രാജ്യംമുഴുവൻ കള്ളന്മാരെക്കൊണ്ടു് നിറഞ്ഞുപോകുന്നതാണു്. പുകയില മോഷ്ടിച്ചുകൊണ്ടുവരുന്നവൻ കള്ളൻ; അതു സാധനം വാങ്ങിച്ചു് സൂക്ഷിക്കുന്നവൻ കള്ളൻ; അവനോടു അതു വാങ്ങി ഉപയോഗിക്കുന്നവരെല്ലാം കള്ളന്മാർ. ഈ തരത്തിലുള്ള വലിയ കള്ളന്മാണു് ഇപ്പോൾ ഈ രാജ്യത്തു നടത്തിവരുന്നതു്. അതുകൊണ്ടു ഗവണ്മെൻറിന്റെ സകല ശക്തികളും ഉപയോഗിച്ചു് ഈ കളവു നിറുത്താത്തപക്ഷം ഈ ഡിപ്പാർട്ടുമെൻറിനെ നിറുത്തിക്കളയുന്നതാണു നല്ലതു്.

കള്ളും ചാരായവും കുടിക്കുന്നതു് ഇപ്പോൾ വളരെ കുറവാണെന്നു പറയുന്നു; എന്നാൽ അതു് വളരെ വർദ്ധിച്ചിരിക്കുന്നു എന്നാണു് എന്റെ അഭിപ്രായം. ജനസംഖ്യ വർദ്ധിച്ചുവരുന്നു. ജനങ്ങൾ കൂടുതൽ മദ്യപാനാസക്തന്മാരായിട്ടാണു കാണപ്പെടുന്നതു്. മദ്യം കൂടുതൽ ചെലവാകുന്നു എന്നുള്ളതു് കണക്കിൽ കാണുന്നില്ല എന്നേയുള്ളു. ഈ കണക്കുകളെല്ലാം എടുക്കുന്നതു് ഷാപ്പുകളിൽനിന്നുമാണു്. ഷാപ്പിൽ വില്പന നടക്കുന്നെങ്കിലല്ലേ അവിടെനിന്നും ശരിയായ കണക്കെടുക്കാൻ സാധിക്കുകയുള്ളു? കള്ളക്കച്ചവടം നടക്കുന്നതുകൊണ്ടു് വില്പന നടക്കുന്നതു് വേറേവിധത്തിലാണു്. അങ്ങിനെ വെളിയിൽ നടക്കുന്ന കച്ചവടത്തിനു യാതൊരു കണക്കും ഇല്ല. അതുകൊണ്ടു ശരിയായ കണക്കു എത്രയാണെന്നറിയാൻ സാധിക്കുന്നില്ല. ഷാപ്പുകളിലുള്ള പഴയ കണക്കുകളെ നോക്കി പകർത്തുകയാണു ഇപ്പോൾ ചെയ്തുവരുന്നതു്. അതു ക്രടിയും കുറഞ്ഞുംവരും. പുകയില, കറുപ്പു്, കഞ്ചാവു്, കള്ളു, വാറുചാരായം, പട്ടച്ചാരായം എന്നിതുകളിലാണു കള്ളക്കച്ചവടം നടത്തിവരുന്നതു്. ഇവയുടെ വില്പനതന്നെ നമുക്കു് (ഗവണ്മെൻറിനു) ആവശ്യമില്ലാത്തതാണു്. എന്നാൽ ജനങ്ങളുടെ ആവശ്യമനുസരിച്ചാണു ഗവണ്മെൻറു അതു നടത്തിവരുന്നതു്.

ഈ സാധനങ്ങൾ വില്പനപ്പെടുന്നതും ജനങ്ങളുടെ ആവശ്യത്തിനായിട്ടാണു്. അല്ലാതെ ഗവണ്മെൻറിന്റെ ആവശ്യത്തിനു വേണ്ടിയല്ല, കള്ളും ചാരായവും വിഷസാധനങ്ങളാണു്. കറുപ്പും കഞ്ചാവും അതുപോലെതന്നെ എങ്കിലും ജനങ്ങൾക്കു അതു ആവശ്യമാണെന്നു പറയുന്നതുകൊണ്ടു് ഗവണ്മെൻറു വരുത്തിക്കൊടുക്കുകയും അതിലേക്കു ഒരു

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[Mr. T. K. Kittan.]

തീരുവ ഏർപ്പെടുത്തുകയും ചെയ്തിരിക്കുന്നു. ആ കരാറിനെ ശരിയായി പരിപാലിച്ചാൽ മാത്രം മതി. കള്ളക്കച്ചവടം നിറുത്താൻ സാധിച്ചില്ലെങ്കിൽ ഈ ഡിപ്പാർട്ടുമെൻറിനെ നിറുത്തണമെന്നാണ് എന്റെ അഭിപ്രായം. പുകയിലയുടെ ചെലവിനെപ്പറ്റി റിപ്പോർട്ടിൽ പറഞ്ഞിരിക്കുന്നതു് വടക്കൻതിരുവിതാംകൂറിൽ ഒരാൾ ഒരാണ്ടിൽ രണ്ടുറാത്തൽ പുകയിലമാത്രം ഉപയോഗിക്കുന്നു എന്നാണു്. എന്നാൽ തെക്കൻതിരുവിതാംകൂറിൽ ഒരാൾ പത്തു റാത്തൽ പുകയിലവീതം ചവച്ചുതുപ്പുന്നുണ്ട്. ഈ വ്യത്യാസം എത്ര ഭയങ്കരമാണു്. ഈ തീരുവ സാധനങ്ങളിൽനിന്നും ഒരു വലിയ സംഖ്യ നമുക്കു് ലഭിക്കേണ്ടതാണു്. മറെറല്ലാ നികുതികളും കുറഞ്ഞുപോയാലും എക്സൈസ് വരുമാനംകൊണ്ടുമാത്രം ഇവിടത്തെ ചെലവുകളെല്ലാം നടത്താവുന്നതാണു്. അതുകൊണ്ടു മുഴുവൻ തീരുവയും ഈടാക്കുവാൻ സാധിക്കുന്നു എങ്കിൽ മാത്രമേ ഈഡിപ്പാർട്ടുമെൻറിനെ തുടർന്നുകൊണ്ടുപോകേണ്ടയാവശ്യമുള്ളു. അല്ലെങ്കിൽ നമുക്കെല്ലാവർക്കുംകൂടി യോജിച്ചു അതിനെ നിറുത്തിക്കളയാം. ഈ ഡിപ്പാർട്ടുമെൻറുനിറുത്തിയാൽ ഒരു വലിയ തുക നമുക്കു ലാഭംകിട്ടും. കള്ളുകുടിയന്മാരെയും കള്ളന്മാരെയും ഭയന്നാണു് പോലീസ് ഡിപ്പാർട്ടുമെൻറു് ഏർപ്പെടുത്തിയിരിക്കുന്നതു്. കള്ളും ചാരായവും കുടിച്ചുകൊണ്ടു തമ്മിൽതല്ലി തല കീറുന്നു. അയാളെ ആശുപത്രിയിൽ കൊണ്ടുപോയി ചികിത്സിക്കുന്നു. അവിടെ അതിലേക്കു ഔഷധങ്ങൾ ചെലവാകുന്നു. ഡാക്ടറന്മാർ, നേഴ്സ് ഇവരുടെ ആവശ്യവും വരുന്നു. ഇതിലേക്കെല്ലാം പണംവേണം. ഇതിനെ നിറുത്തിക്കളഞ്ഞാൽ ഈ ചെലവുകളൊക്കെ ലാഭമായിവരുന്നതാണു്. അതല്ലാതെ ഇതിനെ തുടരുന്നപക്ഷം ഗവണ്മെൻറിന്റെ കല്പന അനുസരിച്ചു നടക്കണം. ഷാപ്പുകൾ ലേലത്തിൽ പിടിച്ചവർക്കു നഷ്ടമാണെന്നും അതുകൊണ്ടു ഗണ്യമായ സംഖ്യ ഇളവുചെയ്തുകൊടുക്കണമെന്നും മറും വിവരിക്കുന്ന ചില കടലാസുകൾ ഇപ്പോൾ എനിക്കു കിട്ടി. അതിനെ ഞാൻ മുഴുവൻ നോക്കിയില്ല. വാസ്തവത്തിൽ, ഷാപ്പുകൾ നടത്തുന്നവർക്കു ഇപ്പോൾ നഷ്ടം തന്നെയാണു്. കള്ളുച്ചെത്തും കള്ളുവാറും കള്ളുവില്പനയും ധാരാളമായി നടക്കുന്നതുകൊണ്ടാണ് ഷാപ്പുകാർക്കും ഗവണ്മെൻറിനും ഈ നഷ്ടം സംഭവിക്കുന്നതു്. ഓരോരുത്തരുടെയും വീടുകളിൽ കൊണ്ടുപോയി കള്ളും ചാരായവും കൊടുത്താൽ ഷാപ്പിൽപോയി ആരും കുടിക്കുകയില്ലല്ലോ. അതുകൊണ്ടു് ഇന്നു നടന്നുവരുന്ന കള്ളും എക്സൈസിന്റെയും

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പോലീസിന്റെയും പട്ടാളത്തിന്റേയും ശക്തി ഉപയോഗിച്ചിട്ടെങ്കിലും നിറുത്തേണ്ടതു അത്യാവശ്യമാണ്. നമ്മുടെ അതിർത്തിദേശങ്ങളിൽ കള്ളന്മാർ കയറാതിരിക്കുന്നതിനു കിടങ്ങുകൾ കുഴിപ്പിച്ചും കമ്പിവേലി സ്ഥാപിച്ച് അതിൽ ഇലക്ട്രിസിറ്റി പ്രവേശിപ്പിച്ചും സൂക്ഷിച്ചാൽ കൊള്ളാം. അങ്ങിനെ ഒരു തീരുമാനം ഇതേവരെ ഉണ്ടാക്കിയിട്ടില്ലാത്തതിനാൽ ഈ ഡിമാൻറിനെ അനുവദിക്കാൻ പാടില്ല എന്നാണ് എന്റെ അഭിപ്രായം.

Mr. N. Abdur Rahiman Sahib: Sir, one sad feature noticeable in the report of the Excise Department for the last two or three years is that the arrears from contractor is on the increase. It is high time that this state of affairs should be brought to an end as early as possible. The reasons stated for this by the Excise Commissioner are that it is partly due to economic depression and partly due to want of co-operation of the Land Revenue Department in realising these arrears. What I submit is that the Government themselves say that the depression is gradually lifting. Even then the administration report of the Department for the years 1110 and 1111 do not show that the arrears are decreasing but on the contrary they are on the increase. As for the co-operation of the Revenue Department, I am sure, if attempts are made earnestly and sincerly, these huge arrears can be brought down.

Another important point which I bring to the notice of the House is a matter which was dealt with by various members viz. smuggling. It is time to put down smuggling with a high hand. We are losing big amounts on account of smuggling. Unhappy incidents also take place in attempting to combat this. Either with the co-operation of the Police Department or any other Department, this state of affairs should not be allowed to continne and every effort should be made to see that smuggling is stopped as early as possible so that this big amount may be obtained to the State offers.

Another point which I wish to bring to the notice of the House is with regard to the collection of statistics. A few years ago provision was made in the Budget for deputing a man to Calcutta for training in the subject. But the man was deputed only very recently. We have to collect statistics with regard to customs and other matters. I would invite the attention of the Excise Commissioner with regard to the importance of this matter.

With regard to the sale of salt, in one or two years there has been over production. It must be our endeavour to make our State self sufficient in the matter of salt production.

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Mr. K. R. Elenkath : Sir, my object in opposing this demand is to bring to the attention of the Government the policy adopted by them in auctioning away shops without any forethought or adhering to any principle and without looking into the soundness of the persons who bid in auction. Sir, we find that it has heen the general practice of recent years to write off big arrears for the reason that the insolvency of the contractors have made them impossible to pay the arrears to Government and the Government have been obliged to write them off seeing to other means of realising them. Although the Commissioner isinvested with the powers of a Division Peishkar he could not realise the whole amount because of the insolveney of the contractor. So the main cosideration which ought to weigh with him in confirming auction is to see that the auctiou holders are persons from whom he could realise the amounts. It may be that then he may not be able to obtain the bidder offering the highest amount. But that should not be the main and the only considreation on the part of the department in fixing it upon any contractor. The economic position or soundness of the party ought to be the main consideration in deciding as to whom the shop should be auctioned.

Another point which I would urge upon the attention of this House and the Government is with regard to the investigation branch of the Department. I know that almost the whole Excise force is mainly in charge of investigation work. In the case of smuggling as well as illicit tapping no leniency should be shown by the Commissioner in dealing with his subordinates. We are fortunate in having now a very honest officer as the head of the Department. But that is not the only salvation required. He should utilise his honesty and see that the subordinates are inculcated with that spirit of honest service and then and then only we would be able to realise the maximum amount available. The Excise and customs Department is one of the most revenue yielding departments a nd I should think the highest revenue yielding one because it brings into the State offers more than a crore of rupees. I ask why the commissioner did not adopt means, as soon as it was found that there was great leakage for want of adequate prevention work in the borders, as regards smuggling of tobacco? For preventing smuggling of tobacco the Assembly has very generously granted in 1108 provision asked for, for a flying squad. There was a hope given that this flying squad will completely do away with smuggling, and the House was assured that the amount sanctioned will not be a waste. Now this year there is a big reorganisation proposed by which we are assured that from Rs. 10 to 20 lakhs will be gained if it is properly worked. All this depends upon the way in which the executive do the work more than in the way of reorganisation or in the

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number of the staff or the total expenditure allotted to the Department. So I would only urge that the executive is very strongly and efficiently controlled so that the smallest evasion of duty or adherence to corruption may be seriously dealt with. I would also request that investigation work should also be very properly conducted because I find that in recent years the percentage of convictions of cases charged is growing less and less because the nature of the investigation has been much inferior that it used to be.

A word about salt. I would suggest that when issuing salt licenses, Government will do well, as far as possible, to encourage small licensees who corporate themselves into companies. Now it is the monopoly of a few persons. It would be a wise policy and the most equitable one for the distribution of profits to the poor and the ordering of an industry which has proved to be the most profitable one in this State.

Mr. N. V. Chacko: There is no doubt that smuggling should be stopped if it be possible. But the question is whether it is possible to stop smuggling entirely. The method adopted for stopping smuggling should be above board. It should not be by beating the law-abiding people. That cannot prevent smuggling in any way. If that is continued the frightened people will run away to the neighbouring State which will only give better chances to the smugglers. It appears that the Government wants to stop smuggling because it affects the revenue adversely. My view is that even smuggling affects the revenue favourably it ought to be stopped. The real cause of smuggling is the bribery of the Excise Department. If it be possible to stop bribery entirely, certainly it will be possible to stop, or check smuggling to the highest possible extent. If it is thought that smuggling can be stopped by beating people, it must be possible to stop bribery of the Excise men more effectively by the Reserve Police beating them. Theoretically speaking, who in the world does not deserve to be whipped? But that is no reason why the people of a locality without any discrimination should be beaten. I want it to be understood that there is nobody in Travancore who willingly helps smugglers. Some people, unconcious of the moral turpitude or meanness of the trade, may take to it. But can you say that the people of a certain locality are all helping smugglers. It would be very bad for the State to broadcast it like that. It would affect the prestige of the Government also. So the most important thing is to try to stop bribery in the Department first and thus stop smuggling to the most possible extent.

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Mr. M. Govindan : I wish to speak a few words about salt. It has been said by Mr. R. Kesavan Nair that we consume 13 lakhs of maunds of salt every year. It is a very astounding figure. Usually we are not producing these 13 lakhs of maunds of salt. In one year, I think it is the year before the last, when there was extraordinary drought, we produced much more than 13 lakhs of maunds of salt and that is now stated to be a reason for not assigning lands fit for salt manufacture to private individuals. I submit that it is necessary to have a sufficient area given for salt manufacture so that our production may be equal to the consumption in ordinary years also. Even if our production is a little more than the consumption in the State, I ask in the same spirit in which I was asking about the University question, why should we confine the sale of our salt within Travancore State alone? Have we not been purchasing Bombay salt and Tuticorin salt for a number of years? If you are able to produce cheap salt here, why should we not export it from Travancore to other parts in British India where salt may be obtained cheaper from us. For instance to the village of Tevarom, Bodi and the other adjacent villages near the ghats we can export our salt. I am speaking this with a little personal knowledge. I know that a person has applied for the assigning of 20 or 30 acres from a very suitable land near Cape Comorin further away on the Tinnevelly side than this side.

Mr. N. Abdur Rahiman Sahib : Were there many applicants for that area?

Mr. M. Govindan : There might have been 2 or 3 applicants. The difficulty was not with regard to the selection of the individuals. Government refused to grant the license to anybody on the ground that the production was more than the consumption in Travancore. Of course, with regard to the prevention of smuggling there is no difference between me and the other members who spoke on the subject. With regard to arrears, the sale of toddy and arrack shops at speculative prices at which the shops were purchased and the reckless competition among the shop keepers are the reasons for the accumulation of arrears.

President : It is time. The honourable member may resume his seat.

Mr. C. O. Madhavan: Sir, all branches of my Department have been dwelt upon abkari, salt, tobacco and customs, and I may say that all the important aspects of the working of my department have been subjected to useful criticisms by the members during the course of the discussion. During the short time available for me I would try to refer to all the observations made by the honourable members.

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First of all, I would take up the question which has been raised by more members than one the question relating to the accumulation of heavy arrears pending collection. From what I have heard about that subject I think that there is some sort of misapprehension regarding the causes which led to the accumulation of these heavy arrears. I may inform the House that these accumulated arrears do not represent the ordinary current revenue to be collected by the Department. So far as the ordinary current revenue is concerned it may be consoling to the House to know that the collections very often range between 98 per cent and cent per cent. Very little is left uncollected at the year end. I have already got reports from some of the Ranges that they have collected all the revenue for the current year. I expect similar reports from the remaining Ranges also. I refer to this to show that ordinarily the current revenue is all collected to the full without leaving any arrears. When I say that collections range between 98 per cent and cent per cent. the House can know whether there can be anything very much left uncollected. That being the case it requires a word of explanation how these arrears accumulated.

The arrears represent the loss by sale due to default by some contractors. It is not ordinary current revenue.

Mr. Nedumangad R. Kesavan Nair: May I know whether he is not authorised to collect the kist for six months in advance from those contractors whose solvency is doubtful ?

Mr. C. O. Madhavan: Yes, Sir. But as I said the accumulated arrears represent not the revenue so much as the damages on account of breach of contract. These arrears as the members have pointed out amount to over 9 lakhs of rupees. In the year 1105 it stood, it is true, below Rs. 40,000. If the members would refer to the subsequent reports, they would find that the 9 lakhs which now appear to be the arrears pending collection, over 7 lakhs represent the arrears which accumulated during 1106 and 1107. Subsequent to those years the arrears have increased only by about Rs 2 lakhs. As the honourable members are aware, the economic depression set in towards the end of 1105. Shops were disposed of in auction for the years 1106 and 1107 just before the commencement of the depression. In the northern taluks the shops were bid in auction for fabulously high rentals. But before the bidders could begin business depression set in as a result of which, many of them failed to complete the security and start the business. The shops had therefore to be resold. As the honourable member from Nedumangad pointed out the purchasers of shops are asked to deposit as

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[Mr. C. O. Madhavan,]

security three to six kists in advance. But at the time the shops are purchased they deposit only one kist or one-tenth of the annual rental. If a shop went for Rs. 1,000 Rs 100 is deposited as security then and there.

Mr. Nedumangad R. Kesavan Nair: May I know the reason why the arrears went up to Rs. 2 lakhs in 1106 while in 1105 it was Rs. 39,000? I am referring from page 20 of the Administration Report of 1111.

Mr. C. O. Madhavan: I am coming to that. What happens is this. At the time of the auction one-tenth of the annual rent is deposited as security. The remaining two-tenths or more are deposited before the commencement of the year. Agreement is executed and license is granted. But in 1105 before it was time to complete the security and execute the agreement, depression set in. So most of the persons who took up the contract failed to complete the security and start business. In most cases the shops did not fetch even one-fourth of the original rental in resale. That is how the arrears went up during the years 1106 and 1107. In regard to the collection of these arrears I may say that the position of the Government is not in any way better than that of an ordinary secured creditor. It is worse. If the property proceeded against is subject to prior encumbrances Government cannot purchase the property in auction, and they have to give it up. That is what happens in many cases. It is not that the solvency of persons was not taken into consideration at the time when the shops were disposed of.

Sir, with regard to the observation made by honourable member Mr. Narayana Iyer that the Excise Commissioner is acting unaided and single handed in the disposal of shops without any direct or first hand information regarding the solvency of bidders, I may say that at the time of the auction, the Assistant Commissioner of the Division and the Tahasildar of the Taluk with his Proverthicars are invariably present with the Excise Commissioner. It is with the help and advise of these officers that the shops are disposed of.

Mr. K. R. Elenkath: May I know the aggregate amount of arrears that has been written off since the year 1105?

Mr. C. O. Madhavan: I have not got that information, Sir. Sir, to continue what I was saying, the solvancy of a bidder is now determined by the tax he pays. The question of the encumbrances on the properties is not now gone into. How far we can enquire into the encumbrances on the properties of a defaulter is now under the consideration of Government. But I may say that the question is beset with so many serious difficulties. The solv-

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ancy of a bidder is at present judged by his tax paying capacity. But the property for which he pays tax may have prior encumbrances. In most of the cases ... ...

Mr. Nedumangad R. Kesavan Nair: May I know when the Commissioner came to realise this?

Mr. C. O. Madhavan: There is no question of taking the properties of the defaulters.

Mr. Nedumangad R. Kesavan Nair: That is exactly what I wanted to know.

President: The honourable member has only five minutes more.

Mr. C. O. Madhavan: The difficulty of the Government is that their position as I have said already is in no way better than an ordinary secured creditor. Those honourable members here who have got anything to do with money-lending business know how difficult it is at present to collect outstanding debts. He is not able to realise even a fraction of what he has to get. Properties have gone down so much in value. Then how can the Government avoid losing something? That aspect of the question the House should consider.

Mr. K. R. Elenkath: May I know why the Commissioner went for fabulously high amounts without going into the solvency of the respective bidders more minutely?

Mr. C. O Madhavan: Sir, shops are disposed of in auction. An offer cannot lightly be requested on the ground of suspicion regarding the solvency of a bidder. It is likely to be misconstrued. Further it is a question of revenue and the chance of getting a better rental will not easily be cast aside.

Mr. Nedumangad R. Kesavan Nair. May I know whether the tax paid by a particular bidder is the sole criterion for his solvency?

Mr. C. O. Madhavan: Sir, not only from 1105 but ever since the system began that has been the sole criterion.

Mr. Kottur Kunjukrishna Pillai: May I know how it was that there was no arrears at all under abkari revenue in a particular period?

Mr. C. O. Madhavan: So far as I am aware there was not such a period.

Mr. Kottur Kunjukrishna Pillai: But for the information of the Excise Commissioner I may say that there was a period when there was no arrears at all.

Mr. C. O. Madhavan: But I have not seen any records to that effect up till now. That much about the accumulation of arrears.

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[Mr. C. O. Madhavan.]

Then another important point which was discussed here is about smuggling. Mr. Narayana Aiyar and Mr. Chacko dealt at length on the subject. Mr. Chacko said that to stop smuggling the practice of receiving bribes by the subordinate excise officers should be stopped. I do not know how far the honourable members are justified in making such sweeping remarks. I do not deny that there may be black sheep among the subordinate officers of the Excise Department. Human nature being what it is, it can not be otherwise. But when any instance is brought to notice, the officer concerned is severely dealt with. But to say that to stop smuggling, bribery should be stopped is too sweeping a condemnation of the subordinate officers of the department.

Mr. K. R. Elenkath : May I know whether the percentage of black sheep in the department is higher than the percentage of white sheep? (*Laughter*).

Mr. C. O. Madhavan : Sir, the percentage will be the same in all departments having the same opportunities.

With regard to Mr. Ananthasiva Aiyar's remarks about the appointment of more C. I. D. officers, I may say that for the next year two additional Inspectors will be appointed for this work. Provision for that has also been included in the budget. The importance of this branch of work has been recognised by Government and provision has been accordingly made.

Another point dealt with relates to malpractices resulting in the fall in the consumption of arrack. Sir, a reference to the review by Government of the departmental Administration Report was made by one of the honourable members. I would invite a reference to page 7 of the Administration Report of my Department which reads thus :

> "Of course the setting in of the economic depression was responsible in a great measure for the steep decrease ; but that is not the only cause. The supply of arrack had an important bearing on the drop in the consumption of licit arrack.

As an experiment, to see how far stronger drink would increase the consumption, we have introduced stronger arrack this year and the result is already visible. Up to the end of last Mithunam, there is an increase of over 8,000 proof gallons as compared with the consumption during the corresponding period of 1111. Sir, people want strong drinks. Mr. Kuruvilla and Mr. Narayana Aiyar referred to the policy of the Government, namely, the attainment of gradual prohibition. It is true that Government have accepted that policy and are really working in that direction. But the people are not prepared for it. They want liquor ; they want strong liquor. Unless public opinion is created in favour of prohi-

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bition, it will be impossible for the Government to achieve that goal. The attempt to enforce prohibition when people are not prepared for it, will result only in the wide-spread prevalence of malpractices and the replacement of licit liquor by illicit liquor.

The question that a sum of Rs. 7,32,928 under Demand V Excise Department be granted was put to vote and carried.

The grant was made.

DEMAND VI—ADMINISTRATION OF JUSTICE.

Mr. Kayalam Parameswaran Pillai (*Additional Head Sirkar Vakil*): Sir, I rise to move for a grant not exceeding Rs. 10,94,153, under Demand VI—Administration of Justice.

Mr. C. N. Thuppan Nambooripad (*Jenmies*) : സർ, സിവിൽകോടതിയെ സംബന്ധിച്ച് ചില പ്രത്യേകസംഗതികൾ ഗവണ്മെൻറിന്റെ ദൃഷ്ടിയിൽ കൊണ്ടുവരുന്നതിനാണ് ഞാൻ ഉദ്യമിക്കുന്നത്. ജന്മികുടിയാൻ റഗുലേഷൻ പാസ്സായതിനു ശേഷം ജന്മിമാർക്കു കിട്ടേണ്ട ജന്മിഭോഗക്കുടിശ്ശികക്കു കേസുകൊടുക്കുമ്പോൾ നിരക്കുവില കണക്കാക്കി കൊടുക്കണമെന്നും, ജന്മികുടിയാൻ റഗുലേഷൻ പാസ്സാകുന്നതിനു മുമ്പുള്ള ജന്മിക്കരക്കുടിശ്ശികക്കു റഗുലേഷൻ പാസ്സാകുന്നതിനുമുമ്പുള്ള വ്യവസ്ഥ അനുസരിച്ച് കേസുകൊടുക്കണമെന്നാണ് വ്യവസ്ഥ. എന്നാൽ ജന്മികുടിയാൻ റഗുലേഷൻ പാസാകുന്നതിനു മുമ്പുള്ള കുടിശ്ശികകൾക്കായി കൊടുക്കുന്ന കേസുകളിന്മേൽ ജഡ്ജിമാരുടെ വിധി ജന്മികുടിയാൻ റഗുലേഷനിൽ വ്യവസ്ഥചെയ്തിട്ടുള്ള കുറഞ്ഞ നിരക്കനുസരിച്ച് അതായത് കമ്മറി നിശ്ചയിച്ചിട്ടുള്ള ഏറ്റവും കുറഞ്ഞ നിരക്കനുസരിച്ച് കൊടുക്കണമെന്നാണ്. ഇങ്ങനെവേണം വിധികൽപ്പിക്കാനെന്ന് ഒരു നിയമത്തിലും പറഞ്ഞിട്ടില്ല. അതുപോലെതന്നെ സാധനങ്ങളുടെ വിലയെ സംബന്ധിച്ചും റഗുലേഷൻ പാസായതിനു ശേഷമുള്ള നിരക്കാണ് റഗുലേഷൻ പാസാകുന്നതിനുമുമ്പുള്ള കുടിശ്ശികക്കായി കണക്കാക്കുന്നത്. ജന്മികുടിയാൻ ബില്ലുതന്നെ ജന്മിമാർക്കു വളരെ കഷ്ടത്തെ ഉണ്ടാക്കുന്നതാണ്. അതിലും വിശേഷിച്ച് ഇപ്രകാരമുള്ള വിധികൾ ജന്മിമാരെ ക്രമത്തിലധികം സങ്കടപ്പെടുത്തുന്നുണ്ട്. ഈ വിഷയത്തിൽ സിവിൽകോടതി പ്രത്യേകം ശ്രദ്ധിക്കേണ്ടതായിട്ടുണ്ട്. അവരുടെ യുക്തംപോലെ വിധി കൽപ്പിക്കുന്നതിനു നിയമത്തിന്റെ ആവശ്യമൊന്നുമില്ലല്ലോ. അതിനാൽ ഏതു കേസും വിധിക്കുന്നത് നിയമമനുസരിച്ചുതന്നെവേണം.

ഇനി എനിക്കു പറയാനുള്ള മറ്റൊരുകാര്യം ട്രൈനരഞ്ജകബോർഡിനെപ്പറ്റിയാണ്, ജന്മിക്കരം ട്രൈനിവാരണബോർഡിൽനിന്നും

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